

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**A BLESSED CHILD
PRE-SCHOOL DAY CARE, INC.,**

Plaintiff,

v.

Case No. 8:21-cv-00503-MSS-AAS

MARKEL INSURANCE COMPANY,

Defendant.

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ORDER

A Blessed Child Pre-School Day Care, Inc. (Blessed Child) moves for an order compelling the scheduling of the deposition(s) of Markel Insurance Company's (Markel) corporate representative, field adjuster, and engineer. (Doc. 11). Markel failed to file a response and the time for doing so has expired. *See* Rule 3.01(c), M.D. Fla. ("A party may respond to a motion within fourteen days after service of the motion." . . .). Thus, Blessed Child's motion will be treated as unopposed. *Id.* ("If a party fails to timely respond, the motion will be subject to treatment as unopposed).

Blessed Child eight times requested from Markel available dates to schedule the depositions of Markel's designated corporate representative, field adjuster, and engineer. To date, Markel failed to provide available deposition

dates, despite Blessed Child's multiple attempts. The Case Management and Scheduling Order directs that the discovery deadline is February 4, 2022. (Doc. 8).

Accordingly, Blessed Child's motion an order compelling the scheduling of the deposition(s) of Markel's corporate representative, field adjuster, and engineer (Doc. 11) is **GRANTED**. Markel must provide Blessed Child with available dates for these depositions by **November 19, 2021**. If Markel does not meet this deadline, Blessed Child may unilaterally set the depositions.

ORDERED in Tampa, Florida on November 10, 2021.

A handwritten signature in black ink, reading "Amanda Arnold Sansone". The signature is written in a cursive, flowing style.

AMANDA ARNOLD SANSONE
United States Magistrate Judge